

VIRGINIA WATER CONTROL BOARD - NOTICE OF PUBLIC COMMENT PERIOD
APPROVAL OF NINE TOTAL MAXIMUM DAILY LOAD (TMDL) REPORTS
ISSUED: April 18, 2005
COMMENT PERIOD CLOSURES: May 18, 2005 at 4:00 p.m.

Notice is hereby given that the State Water Control Board (Board) is seeking comment on the approval of nine Total Maximum Daily Load (TMDL) reports and authorization to include the nine TMDL reports in the appropriate Water Quality Management Plan.

The purpose of this action is to approve nine Total Maximum Daily Load reports containing twenty-nine bacteria TMDLs as the plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

At its December 2, 2004 meeting, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDLs that do not include waste load allocations requiring regulatory adoption by the Board, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director approving the TMDL reports. The TMDLs included in this public notice will be approved using this delegation of authority.

The TMDLs listed below have been developed in accordance with Federal Regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm.

DEQ staff intends to recommend that 1) the Director approve the nine TMDL reports as the plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and 2) and that the Director authorize inclusion of the TMDL reports in the appropriate Water Quality Management Plan. No regulatory amendments are required for these TMDLs and their associated waste load allocations. The nine TMDL reports and specific TMDLs affected by the proposed Board actions are listed below:

In the Potomac-Shenandoah River Basin:

"Bacteria TMDLs for Abrams Creek and Upper and Lower Opequon Creek Located in Frederick and Clarke County, Virginia"

1. Abrams Creek bacteria TMDL, located in Frederick County, proposes bacteria reductions for portions of the watershed.
2. Lower Opequon Creek bacteria TMDL, located in Frederick and Clarke Counties, proposes bacteria reductions for portions of the watershed.
3. Upper Opequon Creek bacteria TMDL, located in Frederick and Clarke Counties, proposes bacteria reductions for portions of the watershed.

In the Rappahannock River Basin:

"Bacteria TMDL for Carter Run Fauquier County, Virginia"

4. Carter Run Bacterial TMDL, located in Fauquier County, proposes bacteria reductions for portions of the watershed.

"Bacteria TMDL for Great Run Fauquier County, Virginia"

5. Great Run bacterial TMDL, located in Fauquier County, proposes bacteria reductions for portions of the watershed.

In the James River Basin:

“Total Maximum Daily Load Development for the Appomattox River Basin”

6. Angola Creek bacteria TMDL (1) located in Cumberland County, proposes bacteria reductions for portions of the watershed.
7. Angola Creek bacteria TMDL (2), located in Cumberland County, proposes bacteria reductions for portions of the watershed.
8. Appomattox River bacteria TMDL (1), located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.
9. Appomattox River bacteria TMDL (2), located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.
10. Appomattox River bacteria TMDL (3) - tidal, located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.
11. Briery Creek bacteria TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
12. Bush River bacteria TMDL (1), located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
13. Bush River bacteria TMDL (2), located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
14. Deep Creek bacteria TMDL, located in Nottoway County, proposes bacteria reductions for portions of the watershed.
15. Flat Creek bacteria TMDL, located in Amelia County, proposes bacteria reductions for portions of the watershed.
16. Horsepen Creek bacteria TMDL, located in Cumberland County, proposes bacteria reductions for portions of the watershed.
17. Little Sandy Creek bacteria TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
18. Nibbs Creek bacteria TMDL located in Amelia County, proposes bacteria reductions for portions of the watershed.
19. Saylers Creek bacterial TMDL, located in Prince Edward and Amelia Counties, proposes bacteria reductions for portions of the watershed.
20. Spring Creek bacterial TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
21. Swift Creek bacterial TMDL (1), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
22. Swift Creek bacterial TMDL (2), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
23. Swift Creek bacterial TMDL (3), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
24. West Creek bacterial TMDL, located in Nottoway and Amelia Counties, proposes bacteria reductions for portions of the watershed.

“Bacteria TMDL for Tuckahoe Creek, Little Tuckahoe Creek, Anderson, Broad, Georges and Readers Branches, and Deep Run Henrico, Goochland and Hanover Counties, Virginia”

25. Tuckahoe Creek bacterial TMDL, located in Henrico, Goochland and Hanover Counties, proposes bacteria reductions for portions of the watershed.

“Bacteria TMDL for Fourmile Creek Henrico County, Virginia”

26. Fourmile Creek bacterial TMDL, located in Henrico County, proposes bacteria reductions for portions of the watershed.

“Bacteria TMDL for White Oak Swamp Henrico County, Virginia”

27. White Oak Swamp bacterial TMDL, located in Henrico County, proposes bacteria reductions for portions of the watershed.

In the York River Basin:

“Bacteria TMDL for Matadequin Creek Hanover County, Virginia”

28. Matadequin Creek bacterial TMDL, located in Hanover County, proposes bacteria reductions for portions of the watershed.

“Bacteria TMDL for Mechumps Creek Hanover County, Virginia”

29. Mechumps Creek bacterial TMDL, located in Hanover County, proposes bacteria reductions for portions of the watershed.

PUBLIC PARTICIPATION: The Board is seeking comments on the intended approval of nine bacteria TMDL reports. Anyone wishing to submit written comments may do so by mail or by e-mail to Jutta Schneider at the address given below. Written comments must include the name and address of the commenter and must be received no later than 4:00 p.m. on May 18, 2005.

CONTACT: Additional information is available on the Department of Environmental Quality web site at <http://www.deq.virginia.gov/tmdl/> or contact Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or telephone (804) 698-4099, or e-mail at jschneider@deq.virginia.gov

A copy of the full text of these procedures is available electronically at:
<http://www.deq.virginia.gov/tmdl/pn/tmdlapproval405.pdf>

The electronic copy is in PDF format and may be read online or downloaded. Also, hard copies are available upon request.